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WSBA
OFFICE OF DISCIPLINARY COUNSEL

Marsha Matsumoto
Senior Disciplinary Counsel

direct line: (206) 727-8233
fax: (206) 727-8325

August 2, 2007

Ronald R. Carpenter, Clerk
Supreme Court of Washington
Temple of Justice
PO Box 40929
Olympia, WA 98504-0929

Re: In re Paul R. Lehto, Bar No. 25103

Dear Mr. Carpenter:

Enclosed is a Petition for Interim Suspension of Paul R. Lehto, with the following attachment: Declaration of Disciplinary Counsel. We sent the Petition for service on August 2, 2007, and will file a Declaration of Service upon receipt.

Please present these documents to the Chief Justice for appropriate action. As the Court is now in recess, we request that the Chief Justice act on the Petition in accordance with Rule 7.5(b) of the Rules for Enforcement of Lawyer Conduct.

Sincerely,

A handwritten signature in cursive script that reads "Marsha Matsumoto".

Marsha Matsumoto
Senior Disciplinary Counsel

Enclosures

cc: Respondent
Public Bar File

RECEIVED
SUPREME COURT
CLERK OF WASHINGTON
07 AUG -3 AM 7:51
BY RONALD R. CARPENTER
CLERK

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

In re

Paul R. Lehto,
Lawyer (Bar No. 25103).

Supreme Court No.

ASSOCIATION'S PETITION
FOR INTERIM SUSPENSION
[ELC 7.2(a)(3)]

Under Rule 7.2(a)(3) of the Rules for Enforcement of Lawyer Conduct (ELC), the Washington State Bar Association (Association) petitions this Court for an Order of Interim Suspension of Respondent Paul R. Lehto (Respondent) pending cooperation with the disciplinary investigations of four grievances.

This Petition is based on the Declaration of Disciplinary Counsel Marsha Matsumoto, filed with this Petition.

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BY RONALD B. CARPENTER
CLERK

Statement of Grounds/Argument

1. Respondent failed to respond to the Association's requests that he respond to four grievances filed against him, and failed to appear at two non-cooperation depositions to which he was subpoenaed.

2. Respondent failed to produce any records in response to two subpoenas duces tecum issued by the Association under ELC 5.3(f)(1). The subpoenas were issued due to Respondent's failure to respond to a Trust Account Overdraft Notice and a grievance filed by Rosemary Shahan.

3. It is necessary to obtain Respondent's responses and records so the Association can determine whether Respondent has engaged in conduct violating the Rules of Professional Conduct (RPC). By refusing to provide any substantive response to the grievances or any related records, Respondent has impeded and delayed the disciplinary process. Accordingly, the Association asks this Court to order Respondent's immediate interim suspension pending compliance with the Association's investigations.

Standard

4. Under ELC 7.2(a)(3), a respondent lawyer may be immediately suspended from the practice of law when a lawyer fails without good cause to comply with a request from the Association for information or documents or fails without good cause to comply with a subpoena.¹ Respondent's failure to comply with the Association's written requests for response and his failure to comply with the Association's subpoenas meet this standard.

Effect of Respondent's Failure to Cooperate

5. The lawyer discipline system provides "protection of the public and preservation of confidence in the legal system." In re Disciplinary Proceeding Against McMurray, 99 Wn.2d 920, 930, 655 P.2d 1352 (1983). Given the limited resources available to investigate allegations of lawyer misconduct, "such investigations depend upon the cooperation of attorneys." Id. at 931.

¹ ELC 7.2(a)(3) provides:

Failure to Cooperate with Investigation. When any lawyer fails without good cause to comply with a request under rule 5.3(f) for information or documents, or with a subpoena issued under rule 5.3(f), or fails to comply with disability proceedings as specified in rule 8.2(d), disciplinary counsel may petition the Court for an order suspending the lawyer pending compliance with the request or subpoena. If the lawyer complies with the request or subpoena, the lawyer may petition the Court to terminate the suspension on terms the Court deems appropriate.

6. "Compliance with these rules is vital." In re Disciplinary Proceeding Against Clark, 99 Wn.2d 702, 707, 663 P.2d 1339 (1983). Because Respondent has not responded to the grievances, has not appeared for two depositions, and has not produced any records, the Association has not been able to determine whether Respondent has engaged in conduct violating the RPC. The Association's effective investigation of the grievances and protection of the public has been impeded and delayed.

Conclusion

Respondent's failure to cooperate with four disciplinary investigations is an ongoing violation of ELC 5.3. Accordingly, the Association asks the Court to issue an order to show cause under ELC 7.2(b)(2) requiring Respondent to appear before the Court on such date as the Chief Justice may set, and show cause why this petition for interim suspension should not be granted.

DATED THIS 2nd day of August, 2007.

Respectfully submitted,

WASHINGTON STATE BAR ASSOCIATION



Marsha Matsumoto, Bar No. 15831
Senior Disciplinary Counsel
1325 4th Avenue, Suite 600
Seattle, WA 98101-2539
(206) 727-8233

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

In re

Paul R. Lehto,
Lawyer (Bar No. 25103).

Supreme Court No.

DISCIPLINARY COUNSEL
DECLARATION

I, Marsha Matsumoto, declare and state:

1. I am the disciplinary counsel assigned to the disciplinary proceedings against respondent lawyer, Paul R. Lehto (Respondent). This statement is submitted in support of the Petition for Interim Suspension [ELC 7.2(a)(3)] filed by the Washington State Bar Association (Association).

Trust Account Overdraft Grievance

2. On May 26, 2006, the Association opened a grievance against Respondent based upon a Trust Account Overdraft Notice (TAON) received from Respondent's bank, Key Bank.

3. On June 12, 2006, the Association sent Respondent a copy of the TAON and requested Respondent's response. Respondent did not respond.

4. On July 17, 2006, the Association sent Respondent a letter, by certified mail, requiring Respondent's response within 10 days or the

RECEIVED
SUPREME COURT
STATE OF WASHINGTON
07 AUG -3 AM 7:51
BYRONA D.R. CARPENTER
CLERK

Association would subpoena Respondent for a deposition. Attached as Exhibit 1 are true and correct copies of the Association's July 17, 2006 letter and certified mail receipt. Respondent did not respond.

5. On August 22, 2006, the Association issued a subpoena duces tecum requiring Respondent to appear for a deposition, but was unsuccessful in serving the subpoena.

6. On August 30, 2006, the undersigned disciplinary counsel left a voice mail message for Respondent. Respondent returned the call, stating that he would submit a response to the TAON by September 6, 2006 and that he would accept service of the subpoena duces tecum.

7. On August 30, 2006, the Association sent Respondent a copy of the subpoena duces tecum and an acknowledgment of service. Respondent did not respond.

8. On September 18, 2006, the undersigned disciplinary counsel left a voice mail message for Respondent. In reply, Respondent left a voice mail message stating that he had drafted a response to the TAON, but needed the Association's fax number. On the same date, disciplinary counsel left a voice mail message for Respondent with the Association's fax number.

9. Respondent did not submit a response to the TAON by fax or otherwise.

10. On September 20, 2006, investigator Scott O'Neal served William Gillespie, a resident at Respondent's home address and Respondent's legal assistant, with a copy of the subpoena duces tecum. The subpoena duces tecum required Respondent to appear for a September 27, 2006 deposition and to produce records. Attached as Exhibit 2 is a true and correct copy of Mr. O'Neal's declaration and the subpoena duces tecum.

11. On September 25, 2006, Respondent telephoned the undersigned disciplinary counsel. Respondent indicated that he was lead counsel in a case in California and that he was busy through the November elections, but might be available in October 2006. The Association agreed to continue Respondent's deposition, providing Respondent faxed a narrative response to the TAON and produced records. Attached as Exhibit 3 are true and correct copies of e-mails between the Association and Respondent dated September 25, 2006, September 26, 2006, and October 2, 2006.

12. On October 2, 2006, the Association faxed Respondent a new subpoena duces tecum and an acknowledgement of service. The subpoena duces tecum required Respondent to appear for a November 15, 2006 deposition and to produce records.

13. On October 11, 2006, Respondent signed and returned the acknowledgment of service to the Association. Attached as Exhibit 4 are true and correct copies of the acknowledgment of service and subpoena duces tecum.

14. On November 14, 2006, the day before Respondent's deposition, Respondent sent the Association an e-mail indicating that he would not attend the November 15, 2006 deposition due to family concerns. Attached as Exhibit 5 is a true and correct copy of Respondent's November 14, 2006 e-mail.

15. The Association declined to continue Respondent's deposition. Attached as Exhibit 6 is a true and correct copy of the Association's November 14, 2006 letter sent to Respondent by fax, first class mail, and e-mail.

16. On November 15, 2006, Respondent sent the Association an e-mail entitled, "Asking a favor." Attached as Exhibit 7 is a true and correct copy of Respondent's November 15, 2006 e-mail.

17. Respondent did not appear at his November 15, 2006 deposition. Attached as Exhibit 8 is a true and correct copy of the transcript from November 15, 2006.

18. On November 15, 2006, Respondent sent the Association an e-mail entitled, "My wife is basically not alive in many ways." Attached

as Exhibit 9 is a true and correct copy of Respondent's November 15, 2006 e-mail.

19. On November 24, 2006, Respondent sent the Association an e-mail entitled, "my status." Attached as Exhibit 10 is a true and correct copy of Respondent's November 24, 2006 e-mail.

20. The Association issued a subpoena duces tecum to Key Bank to obtain Respondent's trust account records.

21. On March 6, 2007, the Association sent Respondent a copy of the records produced by Key Bank and requested Respondent's response to specific questions. Attached as Exhibit 11 is a true and correct copy of the Association's March 6, 2007 letter to Respondent.

22. Respondent did not respond to the Association's March 6, 2007 letter, did not submit a written response to the TAON, and did not produce any records.

Shahan Grievance

23. On December 1, 2006, Rosemary Shahan of Consumers for Auto Reliability and Safety Foundation (CARS) filed a grievance alleging that Respondent failed to deliver funds that CARS was entitled to receive pursuant to a loan agreement signed by Respondent and his client.

24. On December 4, 2006, the Association sent Respondent a copy of Ms. Shahan's grievance and requested Respondent's response. Respondent did not respond.

25. On January 9, 2007, the Association sent Respondent a letter, by certified mail, requiring Respondent's response within 10 days or the Association would subpoena Respondent for a deposition. Attached as Exhibit 12 are true and correct copies of the Association's January 9, 2007 letter and certified mail receipt. Respondent did not respond.

26. On March 5, 2007, the Association issued a subpoena duces tecum requiring Respondent to appear for a May 1, 2007 deposition and to produce records. Attached as Exhibit 13 are true and correct copies of the subpoena duces tecum and the Association's March 5, 2007 letter to Respondent.

27. The Association attempted to personally serve Respondent at his business and home addresses, but Respondent could not be found. Attached as Exhibit 14 is a true and correct copy of the Declaration of Diligence from NW Legal Support, Inc.

28. The Association mailed, by certified mail, the March 5, 2007 letter and subpoena duces tecum to Respondent's post office box and to an address in Michigan believed to be Respondent's address. The Association received a certified mail receipt, signed by William Gillespie,

for the subpoena sent to the post office box. The subpoena sent to the Michigan address was returned unclaimed. The Association also faxed the March 5, 2007 letter and subpoena duces tecum to Respondent. The fax transmission report indicates that the fax was successfully transmitted. Attached as Exhibit 15 are true and correct copies of the certified mail receipt and the fax transmission report.

29. On April 30, 2007, the day before Respondent's deposition was scheduled to begin, Respondent sent an e-mail indicating that he was aware of the Association's efforts to depose him. Attached as Exhibit 16 is a true and correct copy of Respondent's April 30, 2007 e-mail to the Association.

30. The Association replied with an April 30, 2007 e-mail confirming Respondent's deposition and reminding Respondent of his failure to respond to the Association's grievance investigations. Attached as Exhibit 17 is a true and correct copy of the Association's April 30, 2007 e-mail to Respondent.

31. Respondent did not appear for the May 1, 2007 deposition, did not respond to the grievance filed by Ms. Shahan, did not produce any records, and did not respond to the Association's April 30, 2007 e-mail. Attached as Exhibit 18 is a true and correct copy of the transcript from May 1, 2007.

Frese Grievance

32. On April 18, 2007, Eva Frese filed a grievance alleging that Respondent abandoned her case and failed to refund unearned fees.

33. On April 23, 2007, the Association sent Respondent a copy of Ms. Frese's grievance and requested his response. Respondent did not respond.

34. On May 30, 2007, the Association sent Respondent a letter, by certified mail, requiring Respondent's response within 10 days or the Association would subpoena Respondent for a deposition. Attached as Exhibit 19 is a true and correct copy of the Association's May 30, 2007 letter and certified mail receipt. Respondent did not respond.

Derrington Grievance

35. On May 30, 2007, William Derrington filed a grievance against Respondent alleging that Respondent neglected his case, failed to communicate with him, and failed to repay a \$20,000 loan made by Mr. Derrington to Respondent during the representation.

36. On June 4, 2007, the Association sent Respondent a copy of Mr. Derrington's grievance and requested his response. Respondent did not respond.

37. On July 11, 2007, the Association sent Respondent a letter, by certified mail, requiring Respondent's response within 10 days or the

Association would subpoena Respondent for a deposition. Attached as Exhibit 20 is a true and correct copy of the Association's July 7, 2007 letter and certified mail receipt. Respondent did not respond.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

8/2/07 Seattle, WA
Date & Place

Marsha Matsumoto
Marsha Matsumoto, Bar No. 15831
Senior Disciplinary Counsel

EXHIBIT 1



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Marsha Matsumoto
Senior Disciplinary Counsel

Trina Doty
Audit Manager
(206) 727-8242

July 17, 2006

CERTIFIED RETURN RECEIPT NO. 7003 2260 0001 6609 7364

Paul R. Lehto
Lehto & Penfield PLLC
PO Box 1091
Everett WA 98206-1091

Re: Trust Account Overdraft
WSBA File No. 06-00908

Dear Mr. Lehto:

On June 12, 2006, we asked you to provide to our Auditor a written response as to the circumstances of the above referenced overdraft. To the best of my knowledge, your response, which is required by Rule 5.3 of the Rules for Enforcement of Lawyer Conduct (ELC), has not been received.

Under ELC 5.3(e), you must file a written response explaining the circumstances of this overdraft within ten days after service of this letter, i.e., on or before July 31, 2006. If we do not receive your response within the ten-day period, we will subpoena you for a deposition. If we must serve a subpoena, you will be liable for the costs of the deposition, including service of process, and attorney fees of \$500. ELC 5.3(f)(2).

You should be aware that failing to respond is, in itself, grounds for discipline and may subject you to interim suspension under ELC 7.2(a)(3).

Please direct your response directly to our Auditor, Trina Doty. If you need an extension of time, please feel free to contact me to discuss the matter.

Sincerely yours,

Marsha Matsumoto
Senior Disciplinary Counsel

CERTIFICATE OF SERVICE

I CERTIFY THAT I CAUSED A COPY OF THE FOREGOING LETTER TO BE MAILED TO Paul R. Lehto RESPONDENT AT POB 1091, Everett WA 98206-1091, CERTIFIED MAIL, POSTAGE PREPAID, ON THE 17th DAY OF July, 2006.

DISCIPLINARY COUNSEL

7003 2260 0001 6609 7364

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paul R. Lento
POB 1091
Everett WA 98206

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

☐ Agent

☐ Addressee

D. Is the delivery different from item 1?

☐ Yes

☐ No

If different, address below:



3. Service

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Insured Mail

☒ Return Receipt for Merchandise

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy to)

7003 2260 0001 6609 7364

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-14-0952

EXHIBIT 2

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6 BEFORE THE
7 DISCIPLINARY BOARD
8 OF THE
9 WASHINGTON STATE BAR ASSOCIATION

10 In re

11 PAUL R. LEHTO

12 Lawyer (Bar No. 25103).

WSBA No. 06-00908

DECLARATION OF SERVICE OF
SUBPOENA DUCES TECUM AND
LETTER

13 1. I am over the age of eighteen years and am competent to testify if called as a
14 witness in these proceedings. I make the statements in this declaration from personal
15 knowledge.

16 2. I am employed as an Investigator for the Office of Disciplinary Counsel,
17 Washington State Bar Association. I am not a party to and do not have a personal interest in the
18 above-captioned matter.

19 3. On September 20, 2006, at the request of Disciplinary Counsel Marsha Matsumoto,
20 I went to the residence of respondent lawyer Paul Lehto to serve a September 20, 2006 letter
21 and a Subpoena Duces Tecum for deposition. According to Bar Association records, Mr.
22 Lehto's residence is located at 3803 Friday Avenue, Everett, WA, 98201.

23 4. I arrived at Mr. Lehto's residence at approximately 11:30 a.m. on September 20,
24 2006. I knocked on the door twice, but no one answered. I spoke with an adult female, who

1 resides next door at 3801 Friday Avenue. My conversation with the female neighbor confirmed
2 that Mr. Lehto resides at 3803 Friday Avenue and a man named Bill Gillespie also resides at
3 3803 Friday Avenue.

4 5. I left Mr. Lehto's residence, and went to Mr. Lehto's business address at 2829
5 Rucker Avenue, 3rd Floor, Everett, WA, 98201. Mr. Lehto was not at his business address. The
6 door to his one room office was closed and locked and there was no answer to a knock on the
7 door.

8 6. On the afternoon of September 20, 2006, I returned to Mr. Lehto's residence. At
9 2:45 p.m., I personally served the September 20, 2006 letter and Subpoena Duces Tecum on Bill
10 Gillespie, an adult of suitable age who resides at 3803 Friday Ave, Everett, WA, 98201. Mr.
11 Gillespie is known to me as Mr. Lehto's legal assistant and works at his office located at 2829
12 Rucker Avenue, Everett, WA. I also handed Mr. Gillespie an acknowledgement of service for
13 Mr. Lehto's signature. Mr. Gillespie informed me that Mr. Lehto is in California, and that he
14 would fax the letter, Subpoena Duces Tecum, and acknowledgment of service to Mr. Lehto. I
15 provided Mr. Gillespie with my business card and showed him the facsimile number to our
16 office displayed on my card. Attached as Exhibit A are true and correct copies of the
17 September 20, 2006 letter and Subpoena Duces Tecum that I served on Mr. Gillespie.

18 I declare under penalty of perjury under the laws of the State of Washington that
19 the foregoing is true and correct.

20 September 21, 2006 Seattle, WA
21 Date and Place

22 
23 Scott O'Neal
24



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Marsha Matsumoto
Senior Disciplinary Counsel
(206) 727-8233

Trina Doty
Audit Manager
(206) 727-8242

September 20, 2006

Paul R. Lehto
Attorney at Law
2829 Rucker Ave 3rd Fl
Everett, WA 98206-1091

3803 Friday Ave
Everett, WA 98201

Re: Trust Account Overdraft
WSBA File No. 06-00908

Dear Mr. Lehto:

On June 12, 2006, we asked you to provide to our Audit Manager a written response to the above referenced overdraft. You did not respond. On July 17, 2006, we sent you a letter indicating that we would schedule your deposition if you did not respond to this grievance within ten days. Our letter also explained that pursuant to ELC 5.3(f), you are responsible for the costs of this deposition. Your office received our letter on July 18, 2006. However, you did not respond.

On August 30, 2006, we spoke by telephone. I informed you that the Association was trying to serve you with a subpoena for a deposition. You indicated that you would submit a response to the grievance and supporting documentation by September 6, 2006 and that you would accept service of a subpoena. To date, we have not received your response to the grievance, nor have we received your acceptance of service.

On September 18, 2006, I left a message asking you to call me regarding the grievance and concerns expressed by your landlord about client files left in his building. You left me a message stating that you had been in contact with your landlord and that you had drafted a letter, but did not have my fax number. On September 18, 2006, I left you a message with my fax number and informed you that we have been trying to serve you with a subpoena for a September 27, 2006 deposition. You did not return my call.

Enclosed is a subpoena for your deposition at our office on September 27, 2006 at 9:30 a.m. You will be responsible for all of the costs of this deposition, including service fees, court reporter fees, transcription fees, your own travel expenses, and \$500.00 in attorney fees.

Paul R. Lehto
September 20, 2006
Page 2

If you have questions, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Marsha Matsumoto".

Marsha Matsumoto
Senior Disciplinary Counsel

Enclosure

1
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7 BEFORE THE
8 DISCIPLINARY BOARD
9 OF THE
10 WASHINGTON STATE BAR ASSOCIATION

11 In re

12 PAUL R. LEHTO,
13 Lawyer (WSBA No. 25103)

WSBA File No. 06-00908

SUBPOENA DUCES TECUM

14
15 THE STATE OF WASHINGTON TO: PAUL R. LEHTO

16 YOU ARE HEREBY COMMANDED pursuant to Rules 5.3 and 5.5 of the Rules
17 for Enforcement of Lawyer Conduct (ELC) to be and appear at Washington State Bar
18 offices, 2101 Fourth Avenue - Suite 400, Seattle, WA, 98121-2330, on September 27,
19 2006 the hour of 9:30 a.m., to testify in investigatory proceedings being conducted by the
20 Washington State Bar Association regarding a trust account overdraft on May 10 and 11,
21 2006.

22 YOU ARE FURTHER COMMANDED to bring the following with you at the
23 above time:

24 Your complete trust account records from the period January 1, 2006 to present
25 including, but not limited to, bank statements, check registers, client ledgers, cancelled
26 checks, checks returned for insufficient funds, deposit slips, and/or any deposit items that
27

1 did not clear.

2 DATED this 22nd day of August, 2006.

3
4 Marsha Matsumoto

5 Marsha Matsumoto

6 Senior Disciplinary Counsel, Bar No. 15831
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EXHIBIT 3

Marsha Matsumoto

From: Marsha Matsumoto
Sent: Monday, September 25, 2006 5:49 PM
To: 'lehtolawyer@hotmail.com'
Subject: WSBA File No. 06-00908

Mr. Lehto:

I am writing to follow up on our telephone conversation of this afternoon. It is my understanding that you are not available to appear at your September 27, 2006 deposition, which was scheduled due to your failure to respond to the above grievance. As we discussed, I am willing to continue the deposition to a date in mid-October 2006, providing: 1) you deliver/fax to our office your narrative response to the grievance by September 29, 2006, along with a date and time certain when you will appear for your deposition in mid-October 2006; and 2) you deliver to our office the documents required by the Subpoena Duces Tecum no later than October 6, 2006.

As I indicated, I am available all day October 17 and 18, the morning of October 19, and all day October 23, 2006 to conduct your deposition.

*Marsha Matsumoto
Senior Disciplinary Counsel
Washington State Bar Association
2101 4th Avenue, Suite 400
Seattle, WA 98121
206-727-8233
206-727-8325 (fax)
marsham@wsba.org*

CONFIDENTIALITY STATEMENT: The information in this e-mail and in any attachment may contain information that court rules or other authority protect as confidential. If this e-mail was sent to you in error, you are not authorized to retain, disclose, copy or distribute the message and/or any of its attachments. If you received this e-mail in error, please notify me and delete this message. Thank you.

9/25/2006

Marsha Matsumoto

From: Paul Lehto [lehtolawyer@hotmail.com]
Sent: Tuesday, September 26, 2006 9:16 AM
To: Marsha Matsumoto
Subject: RE: WSBA File No. 06-00908

Ms. Matsumoto:

Yes, that schedule is what I recall you stating you were willing to do, after I explained my travel schedule between now and the election in November didn't have a present airline ticket for the Seattle area. I'm presently in Michigan, later this week I'll be in Ohio and then after that I am supposed to be in Kentucky. I mentioned on the phone that July and August involved a Congressional election contest relating to a seat in Congress that was subject to a special election on June 6. <http://www.signonsandiego.com/news/politics/20060731-1337-bn31election.html>

You also mentioned, among other things, that Bill had indicated that he would be moving office items and/or files this past weekend, which took me by surprise. Did he say this to your investigator? Perhaps he meant Tom Hoban the landlord at Coast, because I just today received an email from him indicating a contact was made by your investigator. In that email, he states that your investigator stated that the matter would be referred to "enforcement" and that the investigator was "concerned." In our conversation today, I clearly recall you stating that it's best that these matters be taken care of so that they don't become matters of official concern, or words to that effect, and that it wasn't presently an "enforcement" matter.

As today's conversation made clear, there's a somewhat different set of facts believed to be operative in your mind relative to mine, I can't say absolutely for sure which is right, but I lean toward thinking this is an ongoing problem with the landlord's hostility toward the former firm of which I was a member. We've now checked with all tenants and employees and nobody says that they returned even a single piece of mail. In any case, if there's some specific concern I would appreciate and do appreciate letting me know directly.

After my wife completes her medical appointment today, I will start looking at my schedule to see what I can change. (e.g., She was planning on going to her home country of Finland the first two weeks of October where she can, among other things, get appropriate medical care for a worsening condition.)

Paul Lehto

Subject: WSBA File No. 06-00908
Date: Mon, 25 Sep 2006 17:49:14 -0700
From: marsham@wsba.org
To: lehtolawyer@hotmail.com

Mr. Lehto:

I am writing to follow up on our telephone conversation of this afternoon. It is my understanding that you are not available to appear at your September 27, 2006 deposition, which was scheduled due to your failure to respond to the above grievance. As we discussed, I am willing to continue the deposition to a date in mid-October 2006, providing: 1) you deliver/fax to our office your narrative response to the grievance by September 29, 2006, along with a date and time certain when you will

9/26/2006

appear for your deposition in mid-October 2006; and 2) you deliver to our office the documents required by the Subpoena Duces Tecum no later than October 6, 2006.

As I indicated, I am available all day October 17 and 18, the morning of October 19, and all day October 23, 2006 to conduct your deposition.

Marsha Matsumoto
Senior Disciplinary Counsel
Washington State Bar Association
2101 4th Avenue, Suite 400
Seattle, WA 98121
206-727-8233
206-727-8325 (fax)
marsham@wsba.org

CONFIDENTIALITY STATEMENT: The information in this e-mail and in any attachment may contain information that court rules or other authority protect as confidential. If this e-mail was sent to you in error, you are not authorized to retain, disclose, copy or distribute the message and/or any of its attachments. If you received this e-mail in error, please notify me and delete this message. Thank you.

9/26/2006

Marsha Matsumoto

From: Marsha Matsumoto
Sent: Monday, October 02, 2006 1:40 PM
To: 'Paul Lehto'
Subject: RE: WSBA File No. 06-00908

Mr. Lehto – I am in receipt of your two emails (dated October 2, 2006). To date, our office has sent you letters dated June 12, 2006, July 17, 2006, August 30, 2006, and September 20, 2006 seeking your response to the above referenced grievance. The July 17, 2006 letter was sent by certified mail, and we have a receipt signed by Bill Gillespie. The August 30, 2006 letter was mailed to your home and business addressees. The September 20, 2006 letter was served on you via hand delivery to Mr. Gillespie, an adult resident in your home. Mr. Gillespie informed our investigator that he would promptly fax the letter, which included a subpoena duces tecum, to you. In addition to the above correspondence, I have spoken with you and exchanged voice mail messages with you seeking your response to the grievance.

As you know, the grievance relates to your trust account. To date, we have not received any response from you. At best, your email (dated October 2, 2006, 11:45 a.m.) states that you are “calling the bank for some info.”

We previously advised you that failure to respond to a grievance is, in itself, grounds for discipline and may subject you to interim suspension. See RPC 8.4(I), ELC 5.3, ELC 7.2. In addition, if misconduct is found, failure to cooperate in an investigation may be considered an aggravating factor in determining the appropriate sanction.

Your 11:45 a.m. email indicates that you can deliver a letter to our office by October 15, 2006. Please note that you are required to submit both a narrative response to the grievance and all records set forth in the Subpoena Duces Tecum. Even assuming that you need to obtain some records from the bank, you should be able deliver most of the records (e.g. check registers, client ledgers, bank statements, cancelled checks, etc.) without further delay.

We will expect to receive your complete response, including documents, in our office no later than noon on Monday, October 16, 2006. Your deposition will be conducted on November 15, 2006 at 9:30 a.m. I will fax an Acknowledgment of Service and a second Subpoena to you at 425-645-7380 today. Please return the signed Acknowledgment immediately by fax.

We will consider the effect of your failure to promptly respond to the grievance as we proceed with the investigation of the trust account allegations. If you wish to provide additional explanation and/or documentation regarding the noncooperation issue, please include it with your October 16, 2006 delivery.

Marsha Matsumoto
Senior Disciplinary Counsel
Washington State Bar Association
2101 4th Avenue, Suite 400
Seattle, WA 98121
206-727-8233
206-727-8325 (fax)
marsham@wsba.org

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From: Paul Lehto [<mailto:lehtolawyer@hotmail.com>]
Sent: Monday, October 02, 2006 11:56 AM

10/2/2006

To: Marsha Matsumoto

Subject: RE: WSBA File No. 06-00908

I just sent you a long email that crossed 6 minutes after this one, which I didn't see until now. I worked 28 straight hours on a client matter and then did that email after only one phone call, which is not the one I owe to my children.

Paul Lehto

Subject: RE: WSBA File No. 06-00908
Date: Mon, 2 Oct 2006 11:46:23 -0700
From: marsham@wsba.org
To: lehtolawyer@hotmail.com

Mr. Lehto: Please confirm whether you submitted your narrative response to the above-referenced grievance, along with a date and time when you will be appear for your deposition. To the best of my knowledge, our office has not received your response.

Marsha Matsumoto
Senior Disciplinary Counsel
Washington State Bar Association
2101 4th Avenue, Suite 400
Seattle, WA 98121
206-727-8233
206-727-8325 (fax)
marsham@wsba.org

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From: Paul Lehto [mailto:lehtolawyer@hotmail.com]
Sent: Tuesday, September 26, 2006 9:16 AM
To: Marsha Matsumoto
Subject: RE: WSBA File No. 06-00908

Ms. Matsumoto:

Yes, that schedule is what I recall you stating you were willing to do, after I explained my travel schedule between now and the election in November didn't have a present airline ticket for the Seattle area. I'm presently in Michigan, later this week I'll be in Ohio and then after that I am supposed to be in Kentucky. I mentioned on the phone that July and August involved a Congressional election contest relating to a seat in Congress that was subject to a special election on June 6. <http://www.signonsandiego.com/news/politics/20060731-1337-bn31election.html>

You also mentioned, among other things, that Bill had indicated that he would be moving office items and/or files this past weekend, which took me by surprise. Did he say this to your investigator? Perhaps he meant Tom Hoban the landlord at Coast, because I just today received an email from him indicating a contact was made by your investigator. In that email, he states that your investigator stated that the matter would be referred to "enforcement" and that the investigator was "concerned." In our conversation today, I clearly recall you stating

10/2/2006

that it's best that these matters be taken care of so that they don't become matters of official concern, or words to that effect, and that it wasn't presently an "enforcement" matter.

As today's conversation made clear, there's a somewhat different set of facts believed to be operative in your mind relative to mine, I can't say absolutely for sure which is right, but I lean toward thinking this is an ongoing problem with the landlord's hostility toward the former firm of which I was a member. We've now checked with all tenants and employees and nobody says that they returned even a single piece of mail. In any case, if there's some specific concern I would appreciate and do appreciate letting me know directly.

After my wife completes her medical appointment today, I will start looking at my schedule to see what I can change. (e.g., She was planning on going to her home country of Finland the first two weeks of October where she can, among other things, get appropriate medical care for a worsening condition.)

Paul Lehto

Subject: WSBA File No. 06-00908
 Date: Mon, 25 Sep 2006 17:49:14 -0700
 From: marsham@wsba.org
 To: lehtolawyer@hotmail.com

Mr. Lehto:

I am writing to follow up on our telephone conversation of this afternoon. It is my understanding that you are not available to appear at your September 27, 2006 deposition, which was scheduled due to your failure to respond to the above grievance. As we discussed, I am willing to continue the deposition to a date in mid-October 2006, providing: 1) you deliver/fax to our office your narrative response to the grievance by September 29, 2006, along with a date and time certain when you will appear for your deposition in mid-October 2006; and 2) you deliver to our office the documents required by the Subpoena Duces Tecum no later than October 6, 2006.

As I indicated, I am available all day October 17 and 18, the morning of October 19, and all day October 23, 2006 to conduct your deposition.

Marsha Matsumoto
Senior Disciplinary Counsel
Washington State Bar Association
 2101 4th Avenue, Suite 400
 Seattle, WA 98121
 206-727-8233
 206-727-8325 (fax)
 marsham@wsba.org

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10/2/2006

Marsha Matsumoto

From: Paul Lehto [lehtolawyer@hotmail.com]

Sent: Monday, October 02, 2006 11:54 AM

To: Marsha Matsumoto

Subject: FW: 3rd floor Marion Building

This email came in late last week as I was writing you an email. According to my interpretation of it, he's giving me assurances like he did on the phone except a little more careful since it's in writing. The conflict between the stuff below and your investigator's statements indicates to me that it's pretty likely that somebody is playing very unfair here, the landlord. Or, if it's a misunderstanding, there's still the storage he claimed would expire in mid-september if I didn't pay when in fact he just had a deal with the storage facility to get a refund if I did pay. I had a lease that said I would have full use of the place as usual/normal in the past until 9/30.

The rest of the stuff got moved over the weekend to a locked location I have. Mr Hoban would not allow a single extra business minute of time for me so I had to borrow a crew so to speak. I am calling Northwest to find availability on flights because I have a single coupon for a free ticket but availability is limited. It may get better if I can drive the 400 miles to Chicago or Detroit. I am also arranging with family member(s) to come out and help with the details of the move, and that will need to include extra daycare because of my wife's condition. I am also calling the bank for some info. I have not forgotten about the letter to send to you, and I am trying. I've an appellate brief due today in an emergency appeal so I worked all night last night (Sunday). In the past nine months or so I've had death threats in two languages and they are not because clients don't like the bill or anything like that. My car's been stolen (police report) my car's been broken into and messed up twice. It certainly doesn't help that my former partner is very opposed to the clients I am working for these days, based on his political convictions, and he abandoned the firm dumping clients he didn't like on me.

I would like you to know that I am trying very hard with the stuff moved out in boxes. Is there anything at all in terms of a show of some sort of proof that you could accept so that you wouldn't be angry with me and I can have a little while longer on these deadlines?

I realize that the following will sound like perhaps I'm mentally ill or something but I assure it's all true. I actually represented a couple of criminally insane people at Western and got them out. I can get you an eval if you really want one. I can also get declarations from several clients and associates in the election cases I've worked on investigating election fraud and they have also had computer losses, deleted or nonarriving emails, etc., like I have. You can get something more of an idea if you read the two Robert F Kennedy Jr. Stories in Rolling Stone in the last 4-5 months. You may have heard that the Military Commission Act of 2006 passed the House and the Senate and legalizes the suspension of habeas corpus and legalizes torture, with terms to be interpreted solely by the executive branch. An immigrant cousin of an associate was disappeared for several days in FL, my wife is also an immigrant and is very concerned. Many believe that the election work that I'm involved in is critical to whether or not there will be subpoena power concerning certain highranking government officials who may go to prison as a result, as have Representative Bob Ney, and lobbyist Mr. Abramoff, two of the principals involved in the electronic voting issues that are precisely what I work on.

I realize your records indicate letters went out a couple months ago but i get my mail scanned and sent on via email but I've not seen that one. I've responded to these things in the past and got audited in my trust account randomly once before and passed without a problem.

References, so to speak:

I can get you a tape of a radio show where the person many call america's foremost investigative journalist called me America's "consigliere for truth" in elections. I am supposed to make heroic efforts to try to secure elections in as many as 25 states and secure funding for the same, and there are only so many hours left until November's election.

10/2/2006

to the best of my understanding, there really isn't anything that will make this go away; it's just that there's a little low level civil war building in America (mostly dirty tricks right now) and I'm in the midst of it. If you google "democracy on his shoulders" you will get only one hit, and that's me (an article from a year ago or more, already). Basically, I am fighting for my country and for democracy, as hard as that may be to understand or believe. I would appreciate the courtesy of doing the deposition some time more than 7 days after the election in November, and getting the letter to you by October 15.

Thank you for considering this. I hope it constitutes good cause. But, if you're fed up already then I know I've just handed you a bunch of information that can be used to make me look flaky. Goodness knows my schedule does that already, Please look at the email from the Landlord below and if you are so willing, tell me if it conflicts with what your office was told or not.

Paul Lehto

Subject: RE: 3rd floor Marion Building
 Date: Tue, 26 Sep 2006 08:54:11 -0700
 From: THOBAN@coastmgt.com
 To: lehtolawyer@hotmail.com
 CC: billgillespiejr@hotmail.com; BLINDSEY@coastmgt.com

Paul,

The Bar investigator is aware and has been that the client files are locked up just fine. Most of the time, landlords aren't nearly as helpful, I suspect, so his presumption when he called me the first time might have been tied to his natural concern about what would happen to these files and his experience with other situations. On both occasions that we talked, he thanked me for keeping them on site and locked up.

Thanks for the update on the storage and process to move out by Sept 30th. I was only trying to be clear in our communication, nothing else.

Bill, assuming you are handling the move for Paul, can you touch base with Barb today or tomorrow to coordinate the key hand off? Thanks!

Tom

From: Paul Lehto [mailto:lehtolawyer@hotmail.com]
Sent: Monday, September 25, 2006 6:06 PM
To: Tom Hoban
Cc: William Gillespie, Jr.
Subject: RE: 3rd floor Marion Building

I'm aware of the date of the 30th as the end of the lease.

In our conversation of approximately a couple weeks ago, you assured me that any "files" (assuming they were other than business files from prior businesses I've had) were locked up with only coast having the key, which helped significantly calm down our conversation. You did not (apparently) leave that impression the first time they inquired according at least to our conversation, so when you confirm that they are the same condition they probably assumed that means a bad unlocked condition of some sort.

Per previous conversations, the damages I'm incurring have resulted in the withholding of rent, but I am making arrangements to be out via a moving crew on or about the 30th. If I use Everett downtown storage I will take over payments as of October 1 since that is the first date at which I would have needed storage any way.

---Paul Lehto

Subject: 3rd floor Marion Building
Date: Mon, 25 Sep 2006 14:59:50 -0700
From: THOBAN@coastmgt.com
To: lehtolawyer@hotmail.com
CC: billgillespiejr@hotmail.com

Paul,

Mail situation - the Building Manager, Barb Lindsey, talked to both of the other 3rd floor tenants about your concerns with your mail. What they report is that if any mail comes in your name, it is placed in the plastic holder attached to the wall by your office door. Mail that comes without your name or any other tenant's name on it could have been sent back to sender as the postman wouldn't know who it was for.

Files - I have had contact from the Bar Association fellow again. I was careful about what I offered, but he asked if the files were still in the office suite and I said "yes". He said he was referring the matter to "enforcement". Not sure what that means. He sounded frustrated.

Move-out and storage - Sept 30th is Saturday. That's the last day of your lease of any space anywhere in the building. All belongings must be removed by end of the day Saturday.

Tom Hoban, CEO
Coast Real Estate Services
2829 Rucker Ave. - Suite 100
Everett, WA 98201
(425) 339-3638
(425) 405-2902 direct fax
www.coastmgt.com

EXHIBIT 4

10/02/06 MON 18:24 FAX 12067278325

WSBA.ODC

004

RECEIVED
OCT 11 2006
WSBA OFFICE OF
DISCIPLINARY COUNSEL

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

PAUL R. LEHTO,

Lawyer (WSBA No. 25103)

WSBA File No. 06-00908

ACKNOWLEDGMENT OF SERVICE

I, PAUL R. LEHTO, hereby acknowledge service of the subpoena requiring me to testify at a deposition in this matter at Moburg & Associates Court Reporters, 1601 5th Avenue, Suite 860, Seattle, WA, 98101 on November 15, 2006, at the hour of 9:30 a.m.

Dated this 11 day of October, 2006.


PAUL R. LEHTO

Subpoena Acknowledgment of Service
Page 1

WASHINGTON STATE BAR ASSOCIATION
2101 Fourth Avenue - Suite 400
Seattle, WA 98121-2330
(206) 727-8207

1
2
3
4
5
6
7 BEFORE THE
8 DISCIPLINARY BOARD
9 OF THE
WASHINGTON STATE BAR ASSOCIATION

10 In re

11 PAUL R. LEHTO,
12 Lawyer (WSBA No. 25103)

WSBA File No. 06-00908

13 SECOND SUBPOENA DUCES
14 TECUM

15 THE STATE OF WASHINGTON TO: PAUL R. LEHTO

16 YOU ARE HEREBY COMMANDED pursuant to Rules 5.3 and 5.5 of the Rules
17 for Enforcement of Lawyer Conduct (ELC) to be and appear at Moburg & Associates
18 Court Reporters, 1601 5th Avenue, Suite 860, Seattle, WA, 98101, on November 15, 2006
19 at the hour of 9:30 a.m., to testify in investigatory proceedings being conducted by the
20 Washington State Bar Association regarding a trust account overdraft on May 10 and 11,
21 2006.

22 YOU ARE FURTHER COMMANDED to bring the following with you at the
23 above time:

24 Your complete trust account records from the period January 1, 2006 to present
25 including, but not limited to, bank statements, check registers, client ledgers, cancelled
26 checks, checks returned for insufficient funds, deposit slips, and/or any deposit items that
27

1 did not clear.

did not clear

2 DATED this 2nd day of October, 2006.

3
4 Marsha Matsumoto

5 Marsha Matsumoto

6 Senior Disciplinary Counsel, Bar No. 15831

EXHIBIT 5

Marsha Matsumoto

From: Paul Lehto [lehtolawyer@hotmail.com]
Sent: Tuesday, November 14, 2006 9:03 AM
To: Marsha Matsumoto
Subject: Nov 15 deposition

Dear Ms. Matsumoto:

My parents are primary backup to watch our children when I am away, and help is needed very much so since my wife is in bed 18 or more hours a day with her illnesses. However, my parents left Monday for Arizona to be with my uncle Jim Lehto in the area of Phoenix Arizona, who was just diagnosed with terminal cancer and with only days or weeks to live since he is now in hospice care. This means that the children will be unsupervised tomorrow if I fly out tonight. However, I do have someone able to help who can come in and help with the children late Thursday and Friday-weekend, so if we could do the deposition any time Friday afternoon the 17th instead of the morning of the 15th I can definitely be there in person for that. As you know this was rescheduled before, but this would not have to occur except for the combination of an expected death in our family combined with my wife's illnesses. (the biggest issue regarding sleep and motivation is her will to live it seems). I am hopeful that you will agree; there's a federal court motion on the 17th that counsel has already agreed to kick over to December 1 under the circumstances, so this other commitment on the 17th has moved but I am still willing to make the trip so long as the children and my wife can be cared for which normally my parents are key in helping with, but if you require other dates besides the 20th and 21st of November, they could also be arranged.

Paul Lehto

11/14/2006

EXHIBIT 6

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	1642	
CONNECTION TEL		94256457380
SUBADDRESS		
CONNECTION ID		
ST. TIME	11/14 12:03	
USAGE T	01'15	
PGS.	3	
RESULT	OK	



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Facsimile Transmission

To: Paul R. Lehto

From: Sherry Smith, sherrys@wsba.org
for Disciplinary Counsel Marsha
Matsumoto

Date: November 14, 2006

Fax: 425-645-7380

Fax: (206) 727-8325

Phone:

Phone: (206) 727-8273

Number of pages being transmitted, including this cover page: 3

If you do not receive this transmission properly, please notify us at the telephone number shown above.

COMMENTS/MESSAGES:

In regards to WSBA File No. 06-00908



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Marsha Matsumoto
Senior Disciplinary Counsel
(206) 727-8233

Trina Doty
Audit Manager
(206) 727-8242

November 14, 2006

VIA FACSIMILE 425-645-7380 AND FIRST CLASS MAIL

Paul R. Lehto
Attorney at Law
PO Box 254
Everett, WA 98206-0254

Re: Trust Account Overdraft
WSBA File No. 06-00908

Mr. Lehto:

We received your email requesting a continuance of your deposition to November 17 or 20, 2006. I am not available on November 17, 2006. Moreover, we wish to avoid further delay in the investigation of this grievance. As you know, this matter has been pending for more than five months without any response from you. Following is a summary of your failure to cooperate in this grievance investigation.

On June 12, 2006, we asked you to provide our Audit Manager with a written response to the grievance. You did not respond. On July 17, 2006, we sent you a letter, by certified mail, stating that we would schedule your deposition if you did not respond to the grievance within ten days. Your office received our letter on July 18, 2006. However, you did not respond.

On August 30, 2006, I spoke with you by telephone. I informed you that the Association was trying to serve you with a subpoena duces tecum for a September 27, 2006 deposition. You indicated that you would submit a response to the grievance and supporting documentation by September 6, 2006, and that you would accept service of the subpoena. On August 30, 2006, I sent you a letter, Subpoena Duces Tecum, and Acknowledgment of Service. In the letter, I informed you that if you submitted a written response and documentation by September 6, 2006, the Audit Manager and I would review your response to determine whether it was necessary to proceed with your deposition. You did not respond to the grievance, you did not submit documentation, and you did not return the Acknowledgement of Service.

On September 18, 2006, I left a voice mail asking you to call me regarding the grievance. You left me a voice mail stating that you had drafted a letter responding to the grievance, but did not have my fax number. On September 18, 2006, I left you a voice mail with my fax number and asked you to call me regarding your deposition. You did not return my call or fax a letter.

responding to the grievance.

On September 20, 2006, our office served Bill Gillespie, an adult resident in your home, with a Subpoena Duces Tecum for your September 27, 2006 deposition.

On September 22, 2006, you left a voice mail stating that you would not be available on September 29, 2006 [sic] for your deposition. You indicated that you would be available in latter October 2006. We spoke on September 25, 2006. I agreed to continue your deposition to a date in mid-October 2006, providing you fax a narrative response to the grievance by September 29, 2006 and deliver records to our office by October 6, 2006. I sent you a confirming email on September 25, 2006, which you received. You did not submit a response to the grievance.

On October 2, 2006, I sent an email inquiring about your response to the grievance. On October 2, 2006, you sent an email stating, "I am also calling the bank for some info. I have not forgotten about the letter to send to you, and I am trying." You also requested that we continue your deposition to "some time more than 7 days after the election in November" and stated that you would be "getting the letter to you by October 15." I responded with an October 2, 2006 email stating that we expected to receive your complete response, including documents, by noon on October 16, 2006 and that your deposition would be held on November 15, 2006 at 9:30 a.m. I faxed a Second Subpoena Duces Tecum and Acknowledgement of Service to you on October 2, 2006.

You did not return the Acknowledgment of Service; therefore, on October 10, 2006, I telephoned you to request again that you return the Acknowledgment. On October 11, 2006, you returned the signed Acknowledgment. However, you did not submit a response to the grievance or produce any documents requested by the Subpoena Duces Tecum.

Based on your total failure to respond to the grievance, despite our repeated efforts to accommodate your requests, the Association declines to reschedule your November 15, 2006 deposition. Your deposition will commence on November 15, 2006 at 9:30 a.m.

Sincerely,



Marsha Matsumoto
Senior Disciplinary Counsel

cc: Trina Doty

Marsha Matsumoto

From: Marsha Matsumoto
Sent: Tuesday, November 14, 2006 11:37 AM
To: 'Paul Lehto'
Subject: RE: Nov 15 deposition

Re: Trust Account Overdraft
WSBA File No. 06-00908

Mr. Lehto:

We received your email requesting a continuance of your deposition to November 17, 2006. I am not available on November 17 or 20, 2006. Moreover, we wish to avoid further delay in the investigation of this grievance. As you know, this matter has been pending for more than five months without any response from you. Following is a summary of your failure to cooperate in this grievance investigation.

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11/14/2006

letter to send to you, and I am trying." You also requested that we continue your deposition to "some time more than 7 days after the election in November" and stated that you would be "getting the letter to you by October 15." I responded with an October 2, 2006 email stating that we expected to receive your complete response, including documents, by noon on October 16, 2006 and that your deposition would be held on November 15, 2006 at 9:30 a.m. I faxed a Second Subpoena Duces Tecum and Acknowledgement of Service to you on October 2, 2006.

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Marsha Matsumoto
 Senior Disciplinary Counsel
 Washington State Bar Association
 2101 4th Avenue, Suite 400
 Seattle, WA 98121
 206-727-8233
 206-727-8325 (fax)
marsham@wsba.org

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From: Paul Lehto [mailto:lehtolawyer@hotmail.com]
Sent: Tuesday, November 14, 2006 9:03 AM
To: Marsha Matsumoto
Subject: Nov 15 deposition

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11/14/2006

Paul Lehto testified that when he was interviewed by the FBI on October 2, 2006, he was asked if he had any information regarding the activities of the [redacted] and stated that he did not. He also stated that he did not know anyone who was involved in the activities of the [redacted] and stated that he did not know anyone who was involved in the activities of the [redacted].

EXHIBIT 7

Marsha Matsumoto

From: Paul Lehto [lehtolawyer@hotmail.com]
Sent: Wednesday, November 15, 2006 8:24 AM
To: Marsha Matsumoto
Subject: Asking a favor

Do what you must, but PLEASE STOP with your "noncooperation" accusations when people are dying. You told me that a letter of response wouldn't help past the deadline you had calendared for it, you wouldn't have a deposition date if I hadn't cooperated by accepting service voluntarily, and I've answered your verbal inquiries.

Given your response here, I am nearly 100% certain that anything I would do would not satisfy you, as I can only account for your responses to my information about the landlord and the circumstances today by concluding that you think that I am lying. If you don't think I am lying, then you are truly a cruel person, and I am not believing that is the case. If there is some kind of emergency you see on your end, I've no idea why you don't propose some sort of action or help instead of just sitting there and watching like a vulture, which again is also something I suspect you're not doing, which all leads to the conclusion that you think I am simply lying to stall, which I am not, and so this entire matter is poisoned.

I am not abandoning my children here, at your request, so I won't be at the deposition this morning. My wife who is not from this country, and will not allow strangers to watch our children.

Please stop. If your response to this situation is the best the bar association can muster with its commitment to justice, and that a delay of a few days or weeks is simply intolerable though ok with everyone else, this bar association is of a different character than I had thought.

You truly have all the power, and when you "confirm" only one side of the facts, as is so common with lawyers as a whole, it biases the whole process. If you somehow fear for some clients, you might consider the impact of your actions, as your actions suggest to me the thought that I might as well give up entirely due to impossibility of satisfying people.

12/7/2006

EXHIBIT 8

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

PAUL R. LEHTO,

Lawyer (WSBA No. 25103)

)
)
)
) WSBA File No.
) 06-00908
)
)

TRANSCRIPT OF PROCEEDINGS

9:30 a.m.

November 15, 2006

1601 Fifth Avenue, Suite 860

Seattle, Washington

COPY

Sharon K. Langford, CCR

Court Reporter

1601 Fifth Avenue, Suite 860

Seattle, WA 98101

1 APPEARANCES

2

3 FOR THE BAR ASSOCIATION:

4 MARSHA A. MATSUMOTO
 5 Disciplinary Counsel
 6 2101 Fourth Avenue
 7 Fourth Floor
 8 Seattle, WA 98121-2330

9 -----

10

11

12 I N D E X

13

14 EXHIBITS MARKED PAGE

15 Nos. 1 - 12 3

16

17

18

19

20

21

22

23

24

25

1 (Exhibit Nos. 1 through 12 were
2 marked for identification.)
3

4 PROCEEDINGS
5

6 MS. MATSUMOTO: We are on the record on
7 November 15, 2006 at 9:30 a.m. I'm Marcia Matsumoto,
8 disciplinary counsel with the Bar Association. This
9 was to be the deposition of Paul Lehto, Bar No. 25103,
10 in WSBA File No. 06-00908. This was a grievance filed
11 by the Bar Association against Mr. Lehto due to a trust
12 account overdraft.

13 The deposition was scheduled to begin at 9:30
14 this morning in the offices of Moburg & Associates.
15 The Bar Association issued a subpoena duces tecum to
16 Mr. Lehto and Mr. Lehto accepted service. However,
17 Mr. Lehto sent me an e-mail this morning at 8:24 a.m.
18 informing me that he would not be attending.

19 For the record, I am going to put 12 exhibits
20 in to the deposition record. The first one is Exhibit
21 1, an October 2nd, 2006 fax to Mr. Lehto, including a
22 second subpoena duces tecum for today's deposition.

23 Exhibit No. 2 is Mr. Lehto's acknowledgement
24 of service for the subpoena, dated October 11, 2006.

25 The third exhibit is a June 12, 2006 letter

1 to Mr. Lehto requesting his response to two overdraft
2 notices which were attached to the letter.

3 Exhibit No. 4 is a July 17, 2006 letter to
4 Mr. Lehto requesting his response to the grievance. It
5 was sent by certified mail, and the certified mail
6 receipt is attached and signed by Bill Gillespie.

7 Exhibit No. 5 is an August 30, 2006 letter to
8 Mr. Lehto with a subpoena duces tecum dated August
9 22nd, 2006 for Mr. Lehto's deposition.

10 Exhibit No. 6 is a September 20, 2006 letter
11 to Mr. Lehto with the same August 22nd, 2006 subpoena
12 duces tecum for a deposition.

13 Exhibit No. 7 is a Declaration of Service
14 indicating that the August 22nd, 2006 subpoena duces
15 tecum was served on Paul Gillespie, an adult resident
16 of Mr. Lehto's home, and that service occurred on
17 September 20, 2006.

18 Exhibit No. 8 contains a series of e-mails,
19 the most recent one dated October 2nd, 2006 at
20 11:54 a.m. from Mr. Lehto to me at the Bar
21 Association.

22 Exhibit No. 9 is another series of e-mails
23 between Mr. Lehto and me at the Bar Association
24 regarding the grievances, the Association's request for
25 his response to the grievance, and Mr. Lehto's

1 replies.

2 Exhibit No. 10 is an e-mail from Mr. Lehto
3 dated November 14th, 2006 at 9:03 a.m. to me regarding
4 today's deposition and requesting a postponement. Also
5 in Exhibit No. 10 is my November 14th, 2006 e-mail to
6 Mr. Lehto at 11:37 a.m. detailing the history of his
7 failure to respond to the grievance and declining to
8 continue today's deposition.

9 Exhibit No. 11 is a November 14th, 2006
10 letter to Mr. Lehto which was sent by fax and first
11 class mail, which reiterates the history of Mr. Lehto's
12 failure to respond to the grievance, and the
13 Association's decision not to continue today's
14 deposition.

15 And then Exhibit No. 12 is Mr. Lehto's e-mail
16 to me of this morning, November 15th at 8:24 a.m.,
17 stating that he would not be attending today's
18 deposition.

19 To date Mr. Lehto has not submitted a written
20 response to the grievance and he has not submitted
21 documents responsive to the subpoena duces tecum or
22 supporting his answer to the grievance, and given his
23 failure to appear at the deposition today, this
24 proceeding is concluded.

25 (Proceedings concluded at 9:36 a.m.)

C E R T I F I C A T E

STATE OF WASHINGTON)

) SS.

COUNTY OF SNOHOMISH)

I, the undersigned Notary Public in and for
the State of Washington, do hereby certify:

That the annexed and foregoing transcript of
proceedings was taken stenographically before me and
reduced to typewriting under my direction;

I further certify that I am not a relative or
employee or attorney or counsel of any of the parties
to said action, or a relative or employee of any such
attorney or counsel, and that I am not financially
interested in the said action or the outcome thereof;

I further certify that the proceedings, as
transcribed, is a full, true and correct transcript of
the proceedings.

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my official seal this 20th day of
November, 2006.

SHARON K. LANGFORD

STATE OF WASHINGTON

NOTARY — — PUBLIC

MY COMMISSION EXPIRES 01-27-08



SHARON K. LANGFORD, CCR

Notary Public in and for
the State of Washington,
residing at Edmonds.

My Commission Expires 1-27-08.
License No. 2241.

EXHIBIT 9

Marsha Matsumoto

From: Paul Lehto [lehtolawyer@hotmail.com]
Sent: Wednesday, November 15, 2006 3:02 PM
To: Marsha Matsumoto
Subject: My wife is basically not alive in many ways

she doesn't really function, except to bathe and sleep and eat a little but never well. She rarely if ever leaves the house and often not willingly.

After talking this over at length with friends, a volunteer counselor, and family, I wish to say as calmly as possible that I find your confirming letter so PROFOUNDLY insensitive, brutish, one-sided, distorted, and brutally inhumane that I question whether I would want to be a member of the same association that creates a policy as you are following, or even that just allows you the discretion to do what you did. Clearly, hunting lawyers is sport for you, or duty, but whatever it is, it is sick. We have other lawyers presently creating express policies purporting to legalize torture (John Yoo, Alberto Gonzales, etc.) so the profession is truly suffering from some kind of disease. German Lawyers at Nuremberg all had colorable defenses but were nevertheless convicted for tolerating and condoning war crimes, here in the US these honorable lawyers are outright legalizing these things, which is an even worse international war crime.

Do you realize that many lawyers have been in my situation (probably quite a few in your own personal experience) and probably chuck it all in response to things like you just did, thus effectively leading to less services or more client harm or potential harm. Sure, technically you may not have a duty to those clients yourself, does that mean you can act in such a way as to increase the likelihood of harm?

I've taken over when the bar came in and did an interim suspension on another lawyer, causing enormous harm to my new client at that time, who was forced to come up with a new retainer and get new lawyers up to speed, but I suppose the bar there thought it was "protecting clients" from "harm". It was wrong then I thought and told others (when I was only an observer more or less) and it's wrong again now. At the time, I was in an excellent position to know all the facts, and I was dismayed to see the bar's version of the facts and how unfair it was to the lawyer suspended, even though I was certainly suing him for malpractice and was not particularly sympathetic. It seems that we sometimes get our ideas of a bad guy then lose all perspective. That's why I still hold out that your letter has the above qualities but I can not say that YOU do personally.

When people are faced with life events and challenges like I am, little short of arrest is going to rattle their cage sufficiently to compel a result. You are trying to get me to leave when doing so would risk physical harm to my children if my wife just sleeps instead of watching the children, and this I decline to do. So, if you wish to force a choice between some kind of disciplinary action and my children, I will make my "choice" but that is another legal-lie, calling things "choices" when they are hardly a classical matter of free will. IT is thus that we are clearly not given the freedom to act entirely as we wish, yet we are fully and personally responsible for the results of that lack of freedom.

But I will also write about this, and how lawyers and bar associations have become so brutally wrong in their own ways. I regret that what might fairly be called a career of self-sacrifice has to culminate in such suspicion as you have of me INSTEAD OF a helping hand of some sort if a problem is perceived or identified.

I spoke with a counselor today, who recommends tough choices and "tough love." Removal of the children from being near my wife for now, as if I've the resources to pay for full time child care. how fitting that in the presence of so much toughness and lack of any helping hand outside immediate family that the best that can be said now is that I should be tough with my family, and "save myself first," because only then can I save others (perhaps) but in the course of saving myself, and the children, perhaps my wife will end her own life as she has threatened to do. Somehow, this is entirely not the way I saw it all ending up when she walked down the aisle only ten years ago at her age of 22. Somehow, more toughness is not necessarily the answer, at least where

11/15/2006

mercy's not really been tried.

EXHIBIT 10

Marsha Matsumoto

From: Paul Lehto [lehtolawyer@hotmail.com]

Sent: Friday, November 24, 2006 4:57 PM

To: Marsha Matsumoto

Subject: my status

I am in the cardiac care unit, 7th floor, room 705 at www.mgh.org I've been here for most of Thanksgiving week, a bunch of it I was told to restrict myself to bedrest. I hope to be discharged by Monday to the care of my family and home recovery but we shall see what the future brings. I need to care for my family too, so it is a difficult situation. I did not have a heart attack but the combination of other things like strep infection that spread to my skin, and eyes, and exhaustion, anxiety and so forth is considerable. I'm not allowed cell phone use here because it intereferes with cardiac teleetry equipment.

Have a nice Holiday Weekend,
Paul Lehto

12/7/2006

EXHIBIT 11



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Marsha Matsumoto
Senior Disciplinary Counsel

direct line: (206) 727-8233
fax: (206) 727-8325

March 6, 2007

Paul R. Lehto
Law Office of Paul Lehto
PO Box 254
Everett, WA 98206-0254

Paul R. Lehto
3803 Friday Ave
Everett, WA 98201-4814

Paul R. Lehto
281 Lakewood Ln
Marquette, MI 49855-9508

RE: Grievance filed by WSBA
WSBA File No. 06-00908

Dear Mr. Lehto:

Enclosed please find copies of records that the Association subpoenaed from Key Bank in the above matter. See Exhibit 1.

Please be prepared to respond to the following questions, among others, at your May 1, 2007 deposition. See March 5, 2007 letter and subpoena duces tecum (served under separate cover).

1. Was the \$10,000 received in a contingent fee case? How were the proceeds distributed? See Exhibit 1A.
2. This counter check is for \$8,500 in cash. Who received the funds, how much, and why (explain each recipient's entitlement to the funds received)? See Exhibit 1B.
3. Why was \$8,148.97 transferred to the Paul Lehto Trust Account? Which client(s) did the funds belong to and in what amount(s)? See Exhibit 1C.
4. Why were checks #2145, #2146, and #2147 written from the trust account when there was a \$0 balance in the account? See Exhibit 1D.

Sincerely,

A handwritten signature in cursive script that reads "Marsha Matsumoto".

Marsha Matsumoto
Senior Disciplinary Counsel

cc: Trina Doty, Audit Manager

EXHIBIT 12



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Felice P. Congalton
Senior Disciplinary Counsel

January 9, 2007

Paul R. Lehto
Law Office of Paul Lehto
PO Box 254
Everett, WA 98206-0254


Re: WSBA File: 06-01826
Grievance filed by Rosemary Shahan

Dear Mr. Lehto:

We asked you to provide a written response to the above referenced grievance. To the best of our knowledge, your response, which is required by Rule 5.3(e) of the Rules for Enforcement of Lawyer Conduct (ELC), has not been received.

Under ELC 5.3(e), you must file a written response to the allegations of this grievance within ten days after service of this letter, i.e., on or before **January 22, 2007**. If we do not receive your response within the ten-day period, we will subpoena you for a deposition. If we must serve a subpoena, you will be liable for the costs of the deposition, including service of process, and attorney fees of \$500. ELC 5.3(f)(2). You should be aware that failing to respond is, in itself, grounds for discipline and may subject you to interim suspension under ELC 7.2(a)(3).

Sincerely,


Felice P. Congalton
Senior Disciplinary Counsel

cc: Rosemary Shahan

CERTIFICATE OF SERVICE

I CERTIFY THAT I CAUSED THE FOREGOING LETTER TO BE MAILED TO THE LAWYER NAMED ABOVE AT Law Office of Paul Lehto, PO Box 254, Everett, WA 98206-0254, CERTIFIED (RETURN RECEIPT NO. 7003 2260 0001 6610 7889) MAIL, POSTAGE PREPAID, ON JANUARY 9, 2007.


FELICE P. CONGALTON
SENIOR DISCIPLINARY COUNSEL

PS Form 3800, June 2002
See Reverse for Instructions

Sent To
Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

7003 2260 0001

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Official Mail™ RECEIPT
Postage
Domestic Mail Only: No Insurance Coverage Provided
Delivery information visit our website at www.usps.com

OFFICIAL USE

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent ☐ Addressee ☐ Delivery

B. Received by (Print Name) William G. [Signature] C. Date of Delivery AN

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below.

3. Service Type ☐ Express Mail ☐ Return Receipt for Merchandise
☒ Certified Mail ☐ Registered ☐ C.O.D.
☐ Insured Mail ☐ Yes

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

7003 2260 0001 6610 7889

102595-02-M-1540

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
Paul Vento
202 254
2026 AM 11/11/2004

2. Article Number (Transfer from service label)
7003 2260 0001 6610 7889

Domestic Return Receipt
PS Form 3811, February 2004

EXHIBIT 13



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Marsha Matsumoto
Senior Disciplinary Counsel

direct line: (206) 727-8233

fax: (206) 727-8325

March 5, 2007

Via Facsimile

Paul R. Lehto
425-645-7380

Via Certified Mail (7003 2260 0001 6610 8299)

Paul R. Lehto
Law Office of Paul Lehto
PO Box 254
Everett, WA 98206-0254

Via Personal Service

Paul R. Lehto
3803 Friday Ave
Everett, WA 98201-4814

Via Certified Mail (7003 2260 0001 6610 8305)

Paul R. Lehto
281 Lakewood Ln
Marquette, MI 49855-9508

Re: Grievances against lawyer Paul R. Lehto
WSBA File Nos. 06-01826 and 06-00908

Dear Mr. Lehto:

Enclosed is a subpoena duces tecum compelling your attendance at a deposition in accordance with Rules 5.5 and 5.3(f) of the Rules for Enforcement of Lawyer Conduct (ELC). The subpoena has been issued because of your failure or refusal to cooperate with the above-referenced grievance investigations. As you already have been informed, you will be liable for the costs associated with the deposition, including service of the subpoena, court reporter charges, and a \$500 attorney fee.

We wish to avoid any further delay in the completion of this investigation. Accordingly, we will not cancel or continue the deposition unless disciplinary counsel so confirms in writing. Absent a written confirmation of cancellation or continuance, your appearance at the deposition in our offices on May 1, 2007 at 10:00 a.m. is mandatory. If you fail to appear, we may treat your failure to appear as a violation of disciplinary rules, we may refer this grievance to a Review

Paul R. Lehto
March 5, 2007
Page 2

Committee with a recommendation of a public disciplinary hearing without your response, and we may petition the Washington Supreme Court for your immediate interim suspension from the practice of law under ELC 7.2(a)(3).

Sincerely,

Marsha Matsumoto

Marsha Matsumoto
Senior Disciplinary Counsel

Enclosure

U.S. Postal Service™
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To *Lehto*
Street, Apt. No.,
or PO Box No. *PO Box 254*
City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paul R. Lehto
PO Box 254
Everett WA 98206-0254

06-01826 & 06-00908

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature

William J. DeP... ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

William J. DeP...

D. Is delivery address different from item 1? ☐ Yes ☐ No

If YES, enter delivery address below:

3. Service Type
- ☒ Certified Mail ☐ Express Mail
 - ☐ Registered ☒ Return Receipt for Merchandise
 - ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

7003 2260 0001 6610 8299

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For delivery information visit our website at www.usps.com

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To *Lehto*
Street, Apt. No.,
or PO Box No. *281 Lakewood Ln*
City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

Postmark
Here

3/5/07

1
2
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4
5
6
7 BEFORE THE
8 DISCIPLINARY BOARD
9 OF THE
WASHINGTON STATE BAR ASSOCIATION

10 In re

11 Paul R. Lehto,
12 Lawyer
13 WSBA No. 25103

WSBA File Nos.06-01826 and 06-00908
SUBPOENA DUCES TECUM

14
15 THE STATE OF WASHINGTON TO: Paul R. Lehto

16 YOU ARE HEREBY COMMANDED under Rules 5.5 and 5.3(f) of the Rules
17 for Enforcement of Lawyer Conduct (ELC) to be and appear at the Washington State Bar
18 Association offices, 1325 Fourth Avenue, Suite 600, Seattle, WA 98101, on May 1, 2007,
19 at 10:00 a.m., to testify in investigatory proceedings being conducted by the Washington
20 State Bar Association.

21 YOU ARE FURTHER COMMANDED to bring the following with you at the
22 above time:

- 23 1. Your complete file and whatever documents may be in your possession or
24 control relating to your representation of Cris Smith, and all financial records,
25 including trust account and client ledgers, check registers, canceled checks,
26 deposit slips, and bank statements relating to funds received, maintained, and/or
27 disbursed in connection with your representation of Cris Smith;

- 1 2. Your complete file and whatever documents may be in your possession or
2 control relating to communications, agreements, and/or contracts between you
3 and the Consumers for Auto Reliability and Safety (CARS) Foundation and/or
4 any CARS representative;
- 5 3. Your complete file and whatever documents may be in your possession or
6 control relating to funds received, maintained, and/or disbursed in connection
7 with any loan(s) provided by the CARS Foundation to Cris Smith, and all
8 financial records, including trust account and client ledgers, check registers,
9 canceled checks, deposit slips, and bank statements relating to funds received,
10 maintained, and/or disbursed in connection with any loan(s) provided by the
11 CARS Foundation to Cris Smith.
- 12 4. Your complete trust account records from the period January 1, 2006 to present
13 including, but not limited to, bank statements, check registers, client ledgers,
14 cancelled checks, checks returned for insufficient funds, deposit slips, and/or any
15 deposit items that did not clear.

16 DATED this 5th day of March, 2007.

17 

18 Marsha Matsumoto, WSBA No. 15831
19 Senior Disciplinary Counsel
20
21
22
23
24
25
26
27

EXHIBIT 14

BEFORE THE DISCIPLINARY BOARD OF THE WASHINGTON STATE BAR ASSOCIATION

CASE NO.: 06-01826 AND 06-00908

DECLARATION OF DILIGENCE

vs.

IN RE: PAUL R LEHTO, LAWYER
WSBA NO. 25103

I, DEBRA GORECKI, depose and say that:

I received the within SUBPOENA DUCES TECUM; LETTER on 03/05/2007 at 02:03 PM to be served upon:

PAUL R LEHTO

After a due and diligent effort, I have been unable to effect personal service upon

PAUL R LEHTO

The following attempts at service were made:

6 visits to PAUL R LEHTO at 2707 COLBY AVE #901 , Everett, WA 98201:

<u>DATE & TIME</u>	<u>REMARKS:</u>
03/05/2007-12:00 PM	ATTEMPTS TO SERVE THE CAPTIONED DOCUMENTS ON PAUL R. LEHTO AT 3803 FRIDAY AVE, EVERETT, WA. 98201. ONE VEHICLE PRESENT, NO ANSWER AT DOOR KNOCK, BARKING DOG INSIDE RESIDENCE.
03/11/2007-01:12 PM	NO ANSWER AT DOOR KNOCK, DOG BARKING INSIDE RESIDENCE, NO VEHICLES PRESENT
03/12/2007-01:09 PM	NO ANSWER AT DOOR KNOCK, DOG BARKING FROM INSIDE, MALE PEEPING OUT OF BLINDS AS WE LEFT THE DRIVEWAY.
03/12/2007-07:46 PM	PER NEAR BY NEIGHBOR, MR. GILLESY IS NOT AT HOME AND MR. LETTO DOES NOT LIVE THERE ANY LONGER.
03/15/2007-12:00 PM	ATTEMPT TO SERVE THE DOCUMENTS AT THE ADDRESS WHERE PAUL LEHTO WAS KNOWN TO CONDUCT BUSINESS OF 2707 COLBY AVE # 901, EVERETT, WA. 98201, AFTER THREE TRIPS TO THIS LOCATION WE WERE ABLE TO LEARN THAT MR. LETHO HAS NOT BEEN AT THAT LOCATION FOR AT LEAST 8 MONTHS.
04/12/2007-10:05 AM	IN SPEAKING WITH ROBERT PENFIELD, FORMER PARTNER AND FRIEND OF PAUL LEHTO, IT WAS DISCLOSED THAT PAUL LEHTO HAD MOVED TO MARQUETT, MARQUETTE COUNTY, MICHIGAN.

I declare under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

X Debra Gorecki
DEBRA GORECKI - 200601249001
NW Legal Support, Inc.
200 West Thomas Street, Suite 140
Seattle, WA 98119
206.223.9426
Our File# 428417

EXHIBIT 15

Paul R. Lehto
March 5, 2007
Page 2

Committee with a recommendation of a public disciplinary hearing without your response, and we may petition the Washington Supreme Court for your immediate interim suspension from the practice of law under ELC 7.2(a)(3).

Sincerely,

Marsha Matsumoto

Marsha Matsumoto
Senior Disciplinary Counsel

Enclosure

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paul R. Lehto
PO Box 254
Everett WA 98206-0254

06-01826 9 02-00908

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature

William Gillespie ☐ Agent ☐ Address

B. Received by (Printed Name)

William Gillespie Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below. ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail

☒ Registered ☒ Return Receipt for Merchandise

☒ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7003 2260 0001 6610 8299

Domestic Return Receipt

102595-02-M-1

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

3/

Sent To

Lehto

Street, Apt. No.,
or PO Box No.

PO Box 254

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

**U.S. Postal Service™
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For delivery information visit our website at www.usps.com

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

3/5/07

Sent To

Lehto

Street, Apt. No.,
or PO Box No.

281 Lakewood Ln

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	2110
CONNECTION TEL	914256457380p1445
SUBADDRESS	
CONNECTION ID	
ST. TIME	03/05 08:37
USAGE T	01'40
PGS.	5
RESULT	OK



WSBA

OFFICE OF DISCIPLINARY COUNSEL
1325 4th Ave, Ste 600, Seattle, WA 98101-2539

Facsimile Transmission

To: Paul R. Lehto

From: Sherry Smith,
sherrys@wsba.org
For Disciplinary Counsel
Marsha Matsumoto

Date: March 5, 2007

Fax: 425-645-7380

Fax: (206) 727-8325

Phone:

Phone: (206) 727-8273

Number of pages being transmitted, including this cover page: 5

If you do not receive this transmission properly, please notify us at the telephone number shown above.

COMMENTS/MESSAGES:

WSBA Files Nos. 06-01826 & 06-00908

Letter in re: subpoena

Subpoena Duces Tecum

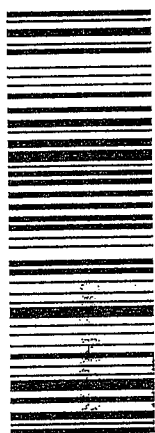
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WSBA

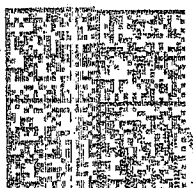
Washington State Bar /
1325 4th Avenue, Suite 600
Seattle, WA 98101-2539

CERTIFIED MAIL™



7003 2260 0001 6610 8305

SEATTLE WA 981



03/05/2007

Mailed From 98101
US POSTAGE

UNCLAIMED

PAUL RLEHTO
281 LAKEWOOD LN
[Redacted Address]

11L 38-07

1st Notice 3/8/07 ✓
2nd Notice 3/15/07
3rd Notice 3/22/07

EXHIBIT 16

Marsha Matsumoto

From: Paul Lehto [priehto@yahoo.com]
Sent: Monday, April 30, 2007 8:47 AM
To: Marsha Matsumoto
Subject: Status of your questions

As of several weeks ago, the furnace at the rental home in Michigan where my family had relocated to for "health" (ironically) reasons, melted down, and the fire department measured carbon monoxide. My wife who spends the most time inside the house has had 10 out of the 10 potential symptoms of carbon monoxide poisoning, and even though we tried to go back to the house we were ordered to get out immediately by our Dr. Hooper. So, my wife is in Finland for medical care and with her family, I was in the hospital needing IVs and stuff just this past saturday because of just a little smoke from a neighbor's fire, I can send you all the medical records on this in a little while, but I am not able to travel to seattle or do things, I and my family are too ill. While the CO poisoning may mean a recovery in a few months, right now I can't do what I am supposed to do, on account of fatigue leaving me a couple hours a day when I'm feeling ok. There's more that amplifies this but this is the main thing.

I had heard there were envelopes or something you sent for a deposition from the everett office but i don't have the paperwork. I also can't afford bar dues due to medical expenses. I've asked the volunteer assistance program and other attorneys if there are any help available and nobody identifies anything. This puts you in the curious situation of waiting and watching, and you won't help either i guess. What do you suggest I do? There's ultimately no huge issue in whatever it is you're looking at so we can either take a humane way under the circumstances or something other than that.

What course of action here will help the most people?

Paul

4/30/2007

EXHIBIT 17

Marsha Matsumoto

From: Marsha Matsumoto
Sent: Monday, April 30, 2007 5:33 PM
To: 'Paul Lehto'
Subject: RE: Status of your questions

Mr. Lehto:

As you seem to be aware, your deposition is scheduled for tomorrow at 10:00 a.m. The deposition was scheduled because you have not provided any substantive response to WSBA Files 06-10826 and 06-00908, even though the files were open December 1, 2006 and May 26, 2006 respectively. It is unclear to me why you are able to send several emails regarding your inability to appear for deposition, yet you are unable to respond to the grievances. You have already failed to appear for a previous deposition in WSBA File 06-00908.

If you fail to appear for your deposition tomorrow, the Association will petition for your interim suspension. If you are asserting a mental and/or physical incapacity to practice law, you may wish to review the Rules for Enforcement of Lawyer Conduct (ELC) and call me to discuss a transfer to disability inactive.

As to your receipt of mail regarding the grievances, we have tried to contact you at your official address of record, your home address, your Michigan address, and your fax number. Under APR 13, you are required to maintain a current mailing address and telephone number on record with the Association. In addition, if you are no longer a resident in the state of Washington, you are required to file the name and address of an agent within the state for the purpose of receiving service of process. APR 5(f).

If you have questions, please call me.

Marsha Matsumoto
 Senior Disciplinary Counsel
 Washington State Bar Association
 1325 4th Avenue, Suite 600
 Seattle, WA 98101-2539
 206-727-8233
 206-727-8325 (fax)
 marsham@wsba.org

CONFIDENTIALITY STATEMENT: The information in this e-mail and in any attachment may contain information that court rules or other authority protect as confidential. If this e-mail was sent to you in error, you are not authorized to retain, disclose, copy or distribute the message and/or any of its attachments. If you received this e-mail in error, please notify me and delete this message. Thank you.

From: Paul Lehto [mailto:prlehto@yahoo.com]
Sent: Monday, April 30, 2007 8:47 AM
To: Marsha Matsumoto
Subject: Status of your questions

As of several weeks ago, the furnace at the rental home in Michigan where my family had relocated to

5/1/2007

for "health" (ironically) reasons, melted down, and the fire department measured carbon monoxide. My wife who spends the most time inside the house has had 10 out of the 10 potential symptoms of carbon monoxide poisoning, and even though we tried to go back to the house we were ordered to get out immediately by our Dr. Hooper. So, my wife is in Finland for medical care and with her family, I was in the hospital needing IVs and stuff just this past saturday because of just a little smoke from a neighbor's fire, I can send you all the medical records on this in a little while, but I am not able to travel to seattle or do things, I and my family are too ill. While the CO poisoning may mean a recovery in a few months, right now I can't do what I am supposed to do, on account of fatigue leaving me a couple hours a day when I'm feeling ok. There's more that amplifies this but this is the main thing.

I had heard there were envelopes or something you sent for a deposition from the everett office but i don't have the paperwork. I also can't afford bar dues due to medical expenses. I've asked the volunteer assistance program and other attorneys if there are any help available and nobody identifies anything. This puts you in the curious situation of waiting and watching, and you won't help either i guess. What do you suggest I do? There's ultimately no huge issue in whatever it is you're looking at so we can either take a humane way under the circumstances or something other than that.

What course of action here will help the most people?

Paul

EXHIBIT 18

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

PAUL LEHTO,

lawyer.

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Bar No. 25103

WSBA Nos. 06-01826

06-00908

DEPOSITION UPON ORAL EXAMINATION OF
PAUL LEHTO

May 1, 2007

10:06 a.m.

1325 Fourth Avenue, Suite 600
Seattle, Washington 98101

Lori A. Thompson, C.C.R.
Court Reporter

A P P E A R A N C E S

For Respondent:

(NO APPEARANCE)

For the Washington

State Bar Association:

MARSHA MATSUMOTO

Senior Disciplinary Counsel

1325 Fourth Ave., Ste. 600

Seattle, WA 98101

Court Reporter:

LORI A. THOMPSON

Treece Shirley & Brodie

1415 No. 200th St., Ste. B-7

Shoreline, WA 98133-3230

INDEX OF EXAMINATION

(No examination was taken.)

INDEX OF EXHIBITS

(All exhibits previously marked.)

No.	Description
1	Letter - 12/4/06 - From WSBA to Paul R. Lehto - Acknowledgment of Receipt of Grievance/ Request for Lawyer Response
2	Letter - 1/9/07 - From WSBA to Paul R. Lehto - "Ten-Day" Letter
3	Letter - 1/29/07 - from WSBA to Rosemary Shahan and Paul R. Lehto
4	Fax Transmittal and Subpoena Duces Tecum
5	E-mail Correspondence - 4/30/07
6	Letter - 3/6/07 - Regarding WSBA File No. 06-00908

1 Tuesday, May 1, 2007

2 --oOo--

3 10:12 a.m.

4 MS. MATSUMOTO: We're on the record on
5 May 1, 2007, at 10:06 a.m. I'm Marsha Matsumoto,
6 Disciplinary Counsel with the Bar Association.

7 This was to be the deposition of Paul
8 Lehto, Bar No. 25103, regarding the two grievances, WSBA
9 File No. 06-01826 and 06-00908. The deposition was
10 scheduled to begin at 10:00 a.m. this morning. The Bar
11 Association issued a Subpoena Duces Tecum to Mr. Lehto
12 pursuant to Rule 5.5 and 5.3(f) of the Rules for
13 Enforcement of Lawyer Conduct based on Mr. Lehto's
14 failure to cooperate in the investigation of either of
15 the grievances.

16 Exhibit 1 is a December 4, 2006, letter to
17 Mr. Lehto regarding WSBA File No. 06-01826. The letter
18 requests Mr. Lehto's response to a grievance filed by
19 Rosemary Shahan, S-h-a-h-a-n.

20 Exhibit No. 2 is a January 9, 2007, letter
21 from the Bar Association to Mr. Lehto. It's a "Ten-Day"
22 letter requiring his response to Ms. Shahan's grievance
23 by January 22, 2007, or the Association would schedule
24 his deposition. Mr. Lehto did not respond to either
25 Exhibit 1 or Exhibit 2.

1 Exhibit No. 3 is a January 29, 2007, letter
2 from the Bar Association to Mr. Lehto and to Ms. Shahan
3 informing Mr. Lehto that the grievance investigation had
4 been assigned to Marsha Matsumoto, Disciplinary
5 Counsel. Mr. Lehto did not respond to that letter.

6 Exhibit No. 4 is a fax transmission
7 confirmation sheet dated March 5, 2007, a fax cover
8 sheet to Mr. Lehto, and attached to the fax cover sheet
9 is a March 5, 2007, letter to Mr. Lehto along with the
10 Subpoena Duces Tecum for today's deposition. Exhibit
11 No. 4 was faxed to Mr. Lehto, was sent to his official
12 address of record with the Bar Association, sent to his
13 home address, and also sent to an address that the
14 Association had for Mr. Lehto in Marquette, Michigan.
15 The Association received a certified mail receipt card
16 signed by a William Gillespie for the letter and Subpoena
17 delivered to Mr. Lehto's address at Post Office Box 254
18 in Everett.

19 Exhibit No. 5 is an April 30, 2007, e-mail
20 that I received from Mr. Lehto. The e-mail was sent at
21 8:47 a.m. indicating that Mr. Lehto would not be
22 appearing for today's deposition. In response at the
23 top of Exhibit 5 is an April 30, 2007, e-mail from me to
24 Mr. Lehto indicating that today's deposition would go
25 forward.

1 Exhibit No. 6 is a March 6, 2007, letter
2 from the Bar Association to Mr. Lehto specifically
3 regarding grievance File No. 06-00908 asking Mr. Lehto
4 for additional information regarding that grievance, and
5 to date Mr. Lehto has not responded to that letter.

6 It is now 10:12 a.m. and Mr. Lehto has not
7 appeared for the deposition. So with that, the
8 deposition is concluded.

9 [DEPOSITION CONCLUDED AT 10:12 A.M.]

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1 STATE OF WASHINGTON)
2) ss.
3 COUNTY OF KING)
4)

5 I, Lori A. Thompson, Notary Public in and for the
6 State of Washington, do hereby certify:

7 That the foregoing deposition was taken before me
8 at the time and place herein set forth;

9 That the witness was by me first duly sworn to
10 testify to tell the truth, the whole truth, and nothing
11 but the truth;

12 That the testimony of the witness and all
13 objections made at the time of the examination were
14 recorded stenographically by me, and thereafter
15 transcribed under my direction;

16 That the foregoing transcript is a true record of
17 the testimony given by the witness and of all objections
18 made at the time of the examination, to the best of my
19 ability.

20 I further certify that I am in no way related to
21 any party to this matter nor to any of counsel, nor do I
22 have any interest in the matter.

23 Witness my hand and seal this 8th day of May,
24 2007.

25 LORI A. THOMPSON, Notary Public in
and for the State of Washington,
residing at Renton. Commission
expires September 9, 2010.
WA CCR No. 2606

EXHIBIT 19



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Felice P. Congalton
Senior Disciplinary Counsel

May 30, 2007

Paul Richard Lehto
Law Office of Paul Lehto
PO Box 254
Everett, WA 98206-0254

Re: WSBA File: 07-00694
Grievance filed by Eva Frese

Dear Mr. Lehto:

We asked you to provide a written response to the above referenced grievance. To the best of our knowledge, your response, which is required by Rule 5.3(e) of the Rules for Enforcement of Lawyer Conduct (ELC), has not been received.

Under ELC 5.3(e), you must file a written response to the allegations of this grievance within ten days after service of this letter, i.e., on or before June 12, 2007. If we do not receive your response within the ten-day period, we will subpoena you for a deposition. If we must serve a subpoena, you will be liable for the costs of the deposition, including service of process, and attorney fees of \$500. ELC 5.3(f)(2). You should be aware that failing to respond is, in itself, grounds for discipline and may subject you to interim suspension under ELC 7.2(a)(3).

Sincerely,

Felice P. Congalton ^{SSP}

Felice P. Congalton
Senior Disciplinary Counsel

cc: Eva Frese

CERTIFICATE OF SERVICE

I CERTIFY THAT I CAUSED THE FOREGOING LETTER TO BE MAILED TO THE LAWYER NAMED ABOVE AT PO BOX 254, EVERETT, WA 98206-0254, CERTIFIED (RETURN RECEIPT NO. 7003 2260 0001 6610 5878) MAIL, POSTAGE PREPAID, ON MAY 30, 2007.

Sachia Stonefeld Powell

SACHIA STONEFELD POWELL
DISCIPLINARY COUNSEL

Certified Mail Provides:

- mailing receipt
- unique identifier for your mailpiece
- record of delivery kept by the Postal Service for two years

Important Reminders:
 Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
 Certified Mail is not available for any class of international mail.
 NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.

For an additional fee, a **Return Receipt** may be requested to provide delivery. To obtain Return Receipt service, please complete and attach Receipt (PS Form 3811) to the article and add applicable postage to the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver, attach a duplicate return receipt, a USPS® postmark on your Certified Mail, and a return receipt.

■ For an additional fee, delivery may be restricted to the addressee's authorized agent. Advise the clerk or mark the mailpiece with endorsement "Restricted Delivery".

■ If a postmark on the Certified Mail receipt is desired, please present the card at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mailpiece.

IMPORTANT: Save this receipt and present it when making an Internet access to delivery information is not available on mail addressed to APOs and FPOs.

PS Form 3800, June 2002 (Reverse)

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Article Addressed to:</p> <p>Paul Lehto</p> <p>POB 254</p> <p>Everett WA 98206</p>		<p>A. Signature</p> <p><i>[Signature]</i></p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
<p>2. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>3. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>Article Number</p> <p>(Transfer from service label)</p> <p>8295 0199 1000 0922 E002</p>		<p>Domestic Return Receipt</p> <p>102595-02-M-1540</p>	

EXHIBIT 20



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Felice P. Congalton
Senior Disciplinary Counsel

July 11, 2007

Paul R. Lehto
Law Office of Paul Lehto
PO Box 254
Everett, WA 98206-0254

Re: WSBA File: 07-00899
Grievance filed by William Derrington

Dear Mr. Lehto:

We asked you to provide a written response to the above referenced grievance. To the best of our knowledge, your response, which is required by Rule 5.3(e) of the Rules for Enforcement of Lawyer Conduct (ELC), has not been received.

Under ELC 5.3(e), you must file a written response to the allegations of this grievance within ten days after service of this letter, i.e., on or before **July 24, 2007**. If we do not receive your response within the ten-day period, we will subpoena you for a deposition. If we must serve a subpoena, you will be liable for the costs of the deposition, including service of process, and attorney fees of \$500. ELC 5.3(f)(2). You should be aware that failing to respond is, in itself, grounds for discipline and may subject you to interim suspension under ELC 7.2(a)(3).

Sincerely,

Felice P. Congalton
Senior Disciplinary Counsel

cc: William Derrington

CERTIFICATE OF SERVICE

I CERTIFY THAT I CAUSED THE FOREGOING LETTER TO BE MAILED TO THE LAWYER NAMED ABOVE AT Law Office of Paul Lehto, PO Box 254, Everett, WA 98206-0254, CERTIFIED (RETURN RECEIPT NO. 7006 2150 0000 7570 6488) MAIL, POSTAGE PREPAID, ON JULY 11, 2007.

FELICE P. CONGALTON
SENIOR DISCIPLINARY COUNSEL

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Total Postage & Fees \$

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or PO Box No.
City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paula Berto
PO Box 254
Everett, WA 98206

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent ☐ Addressee
William C. Berto
 B. Received by (Print or type) Date of Delivery
William C. Berto 12/12/07
 D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type ☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ G.O.D.
 4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

7206 2150 0000 7570 6488

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540